



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

De Chao Yu and Daniel R. Henderson

Serial No.: 09/392,822

Filing Date: September 9, 1999

For: ADENOVIRUS VECTORS  
CONTAINING CELL STATUS-  
SPECIFIC RESPONSE ELEMENTS  
AND METHODS OF USE THEREOF

Examiner: To Be Assigned

Group Art Unit: 1646

**PROSECUTION BY ASSIGNEE AND POWER OF ATTORNEY  
UNDER 37 C.F.R. § 3.71**

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Calydon, Inc., the assignee of the entire right, title and interest in this patent application,  
under 37 C.F.R. § 3.71 hereby appoints:

Sanjay Bagade (Reg No. 42,280)	Erwin J. Basinski (Reg No. 34,773)
Frank P. Becking (Reg No. 42,309)	Sean Brennan (Reg No. 39,917)
Barry E. Bretschneider (Reg No. 28,055)	Nicholas Buffinger (Reg No. 39,124)
Alan W. Cannon (Reg No. 34,977)	Mark R. Carter (Reg No. 39,131)
Robert K. Cerpa (Reg No. 39,933)	Thomas E. Ciotti (Reg No. 21,013)
Raj S. Davé (Reg No. 42,465)	Stephen C. Durant (Reg No. 31,506)
Carolyn A. Favorito (Reg No. 39,183)	Hector Gallegos (Reg No. 40,614)
Franklin Y. Han (Reg No. 41,055)	Douglas Hodder (Reg No. 41,840)
Charles D. Holland (Reg No. 35,196)	Peter Hsieh (Reg No. P-44,780)
Madeline I. Johnston (Reg No. 36,174)	Richard D. Jordan (Reg No. 33,519)
Ararat Kapouytian (Reg No. 40,044)	Phanesh B. Koneru (Reg No. 40,053)
Kawai Lau (Reg No. P-44,461)	Susan K. Lehnhardt (Reg No. 33,943)
Richard H. Lilley (Reg No. 42,803)	David C. Liu (Reg No. P-43,755)
Wen Liu (Reg No. 32,822)	David C. Lundmark (Reg No. 42,815)
Harry J. Macey (Reg No. 32,818)	Thomas D. Mays (Reg No. 34,524)
Gladys H. Monroy (Reg No. 32,430)	Kate H. Murashige (Reg No. 29,959)

Catherine M. Polizzi (Reg No. 40,130)  
Robert Saltzberg (Reg No. 36,910)  
Kevin R. Spivak (Reg No. 43,148)  
E. Thomas Wheelock (Reg No. 28,825)  
Karen K. Wong (Reg No. 44,409)

William C. Revelos (Reg No. 42,101)  
Debra A. Shetka (Reg No. 33,309)  
Suzannah K. Sundby (Reg No. 43,172)  
Thomas G. Wiseman (Reg No. 35,046)  
Frank Wu (Reg No. 41,386)

all of Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018, telephone (650) 813-5600, to prosecute this application and transact all matters in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. § 3.71 provided that if any one of said attorneys or agents ceases being affiliated with the law firm of Morrison & Foerster as partner, employee or of counsel, such attorney's or agent's appointment as attorney or agent and all powers derived therefrom shall terminate on the date such attorney or agent ceases being so affiliated.

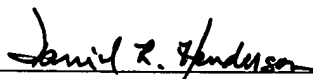
Please direct all written communications relative to this application to:

Catherine M. Polizzi  
Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018

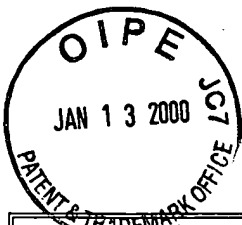
Please direct all telephone communications to Catherine M. Polizzi at (650) 813-5651.

Calydon, Inc.

Dated: November 12, 1999



Name: Daniel R. Henderson, Ph.D.  
Title: President  
Address: 1324 Chesapeake Terrace  
Sunnyvale, CA 94089



PTO/SB/96 (10-92)

## CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Docket No. 348022001200

In the application of: De Chao Yu and Daniel R. Henderson  
Serial No.: 09/392,822  
Filed: September 9, 1999  
For: ADENOVIRUS VECTORS CONTAINING CELL STATUS-SPECIFIC RESPONSE  
ELEMENTS AND METHODS OF USE THEREOF

Calydon, Inc., a corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From : \*  
To: \*

The document was recorded in the Patent and Trademark Office at Reel \*, Frame \*, or for which a copy thereof is attached.

2. From : \*  
To: \*

The document was recorded in the Patent and Trademark Office at Reel \*, Frame \*, or for which a copy thereof is attached.

3. From : \*  
To: \*

The document was recorded in the Patent and Trademark Office at Reel \*, Frame \*, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 11-29-99

Name: Daniel R. Henderson, Ph.D.

Title: President

COPY

ASSIGNMENT  
JOINT

THIS ASSIGNMENT, by De Chao Yu and Daniel R. Henderson (hereinafter referred to as the assignors), residing at 1046 Eagle Lane, Foster City, California 94404 and 955 Matadero Avenue, Palo Alto, California 94306, respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in ADENOVIRUS VECTORS CONTAINING CELL STATUS-SPECIFIC RESPONSE ELEMENTS AND METHODS OF USE THEREOF, set forth in an application for Letters Patent of the United States, having an oath or declaration executed on even date herewith; bearing Serial No. 09/392,822 and filed September 9, 1999; and

WHEREAS, Calydon, Inc., a corporation duly organized under and pursuant to the laws of California and having its principal place of business at 1324 Chesapeake Terrace, Sunnyvale, California 94089 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

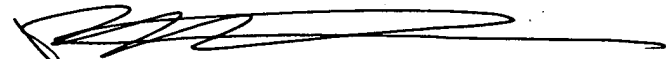
AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

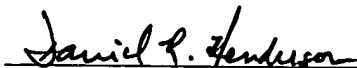
11-12-1999

Date

  
De Chao Yu

Nov 12, 1999

Date

  
Daniel R. Henderson